

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

SHARAD TAK,
derivatively on behalf of
TECHNOLOGY VENTURES, LLC,

Plaintiff,

v.

JITENDRA VYAS,

and

SUNDEEP DAMANI,

Defendants,

and

TECHNOLOGY VENTURES, LLC,

Nominal Defendant.

Case No. _____

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332 and 1441, Defendant Jitendra Vyas hereby notices removal of the action titled *Sharad Tak v. Jitendra Vyas, et al.*, Case No. CL-2021-8009, from the Circuit Court of Fairfax County, Virginia (the “State Court Action”) to the United States District Court for the Eastern District of Virginia. In support of this Notice of Removal, Mr. Vyas states as follows:

1. This action is a civil action within the meaning of the Acts of Congress relating to the removal of cases.

2. Plaintiff Sharad Tak initiated the State Court Action on May 28, 2021, with the filing of a Complaint. *See* Complaint, attached as part of Exhibit A hereto.

3. Mr. Vyas first received a copy of the Complaint, through his attorney, on May 28, 2021. He was served with the Complaint on June 4, 2021.

4. Co-Defendant Sundeep Damani first received a copy of the Complaint, through his attorney, on May 28, 2021. Mr. Damani was served with the Complaint on June 4, 2021.

5. Mr. Damani consents to the removal.

6. Co-Defendant Technology Ventures, LLC is aware of this action. It consents to the removal.

7. Plaintiff Tak is an individual who resides in the State of Florida.

8. Defendants Vyas and Damani are citizens of the Commonwealth of Virginia.

9. Nominal Defendant Technology Ventures, LLC, is a limited liability company organized and existing under the laws of the Commonwealth of Virginia with its principal offices in McLean, Virginia.

10. Plaintiff Tak has identified himself as acting on behalf of Technology Ventures, LLC as Plaintiff in this action.

11. Because Plaintiff Tak is attacking the actions of the LLC, which is managed by the individual defendants, the LLC is more properly aligned as a defendant for diversity purposes.

12. Plaintiff Tak through this action seeks damages, exclusive of interest and costs, of “not less than \$3,000,000.” Complaint at 12.

13. Pursuant to 28 U.S.C. § 1332, the Court has diversity jurisdiction over all counts of the Complaint because the matter in controversy is between parties of different States, and the amount sought in damages exceeds \$75,000.

14. Therefore, this matter is a civil action over which this Court has diversity jurisdiction pursuant to 28 U.S.C. §§ 1332, and which is removable to this Court under 28 U.S.C. § 1441.

15. Removal of this action is proper under 28 U.S.C. § 1446 because:


- a. this Notice of Removal is being filed within thirty (30) days of Mr. Vyas's receipt (through service or otherwise) of the Complaint;
- b. all defendants who have been properly joined and served consent to removal of this action;
- c. Mr. Vyas has not previously sought similar relief; and
- d. a copy of all process, pleadings, and orders served upon Mr. Vyas is attached at Exhibit A.

16. A true and correct copy of this Notice of Removal will be served upon all parties and the Circuit Court of Fairfax County, Virginia, promptly after the filing of this Notice, in accordance with the certificate set forth below and with the requirements of law. The clerk of the aforesaid State Court shall effect the removal, and the State Court shall proceed no further unless the case is remanded, as provided by law.

17. Venue for removal of this action to this Court is proper.

18. Mr. Vyas reserves the right to amend or supplement this Notice of Removal.

Respectfully submitted,



Dated: June 23, 2021

Thomas E. Shakow, VSB No. 70291

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Counsel for Defendant Jitendra Vyas

CERTIFICATE OF SERVICE

I hereby certify that I am over eighteen years of age and that, on June 23, 2021, I caused the foregoing document to be sent by email and by first-class United States mail, postage pre-paid, to counsel for the other parties in this case at the following addresses:

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